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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8229
Serial No.:	10/825,953	Filed:	April 15, 2004
Examiner:	Unknown	Group Art Unit:	3762
Docket No.:	1023-363US01	Customer No.:	28863
Title:	CONTROLLING THERAPY BASED ON SLEEP QUALITY		

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on September 21, 2005.

By:

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Name: Shirley A. Betlach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. Also enclosed is a copy of the International Search Report and the Written Opinion of the International Searching Authority. Under 37 C.F.R. 1.97(e)(1), each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

Applicant has enclosed a copy of each foreign document cited. Copies of the U.S. patents are not enclosed as this requirement has been waived by the U.S. Patent Office.

Respectfully submitted,

Date: 21 SEPTEMBER 2005

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Form 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: 1023-363US01		Application Number: 10/825,953	
		Applicant: Kenneth T. Heruth; Keith A. Miesel			
		Filing Date: April 15, 2004		Group Art Unit: 3762	
		Examiner Name: Unknown			

U.S. PATENT DOCUMENTS				
Examiner Initial	Document Number	Issue/Document Publication Date	Name	Filing Date If Appropriate
	5,335,657	08/09/1994	Terry, Jr. et al.	
	6,539,249 B1	03/25/2003	Kadhiresan et al.	
	6,574,507 B1	06/03/2003	Bonnet	
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FOREIGN PATENT DOCUMENTS					
Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No
	O 564 803 A1	10/13/1993	EPO		
	DE 100 24 103	11/29/2001	Germany		
	WO 2001/037930	05/31/2001	PCT		
	WO 2002/087433	11/07/2002	PCT		
	WO 2005/035050	04/21/2005	PCT		

OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)	
	International Search Report and the Written Opinion of the International Searching Authority for PCT/US2005/008790, dated June 21, 2005 (10 pgs.)

EXAMINER	Date Considered
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.